

## CHAPTER LXXXIX.

An Act to prohibit hauling of seines or drag nets within two miles of certain bars and inlets within this State

*Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That from and after the fifteenth of January eighteen hundred and thirty-five, it shall not be lawful for any person to haul any seine, or fish with any drag net, from sunset on Friday, to sun rise on Monday, in each and every week from the aforesaid fifteenth day of January to the fifteenth day of March, and from the first day of August, to the first day of October in each and every year within two miles of Ocracoke bar.

II. *Be it further enacted,* That it shall not be lawful for any person to haul any seine, or fish with any drag net within two miles of New Inlet north of Ocracoke, from sun set on Saturday to sun rise on Monday, from the fifteenth day of January, eighteen hundred and thirty five to the fifteenth day of March, and from the first day of August to the first day of October, in each and every year.

III. *Be it further enacted,* That it shall not be lawful for any person to haul any seine, drag net, or drift with any net, at the Roanoke narrows or marshes, from sun rise on Saturday to sun rise on Monday, from the fifteenth day of January, to the fifteenth day of April, and from the first day of August to the first day of October in each and every year.

IV. *Be it further enacted,* That if any person shall violate the provisions of this act, such person so offending, shall forfeit and pay the sum of one hundred dollars, for each and every offence, to be recovered in an action of debt, before any Justice of the peace, or any jurisdiction having cognizance thereof, by any person suing for the same, the one half of said sum, to the use of the informer, and the other half to the wardens of the poor of the county wherein such offence shall have been committed, and shall further be liable to indictment in any court having cognizance thereof, and upon conviction shall be fined at the discretion of the Court.

V. *Be it further enacted,* That if any slave or slaves shall violate the provisions of this act, such slave or slaves so offending, on conviction before any justice of the peace, shall receive thirty nine lashes on his on their bare back, and owner or owners of such slave or slaves so offending shall pay all costs.

## CHAPTER XC.

An ACT to protect seine places on Roanoke river.

*Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That where any seine place may be injured by any fallen tree or trees, or may be in danger of being injured by the falling of trees in the waters of said river, and the owner of the land on which such tree or trees are situated shall object to their removal, it shall be lawful for the owner or owners of such seine place to apply to the sheriff of the county in which the tree or trees are situated, whose duty it shall be, on the payment or tender of the fees herein allowed, to summon a jury of twelve freeholders; unconnected with the parties, to go and examine the premises; which jury shall be sworn by the sheriff to do equal justice between the parties; and if the said jury should be of opinion that such tree or trees are so situated as to injure said seine place, or that there is danger of such injury, they shall assess the value of such tree or trees, and on the payment of the sum assessed, the owner or owners of said seine place shall have the right of cutting or clearing away all such trees as may be thus condemned; *Provided,* That the party owning the said land shall have ten days notice of the time and place where such jury is held.